

**THE STATE OF SOUTH CAROLINA
In the South Carolina Court of Appeals**

**APPEAL FROM SUMTER COUNTY
Court of General Sessions**

R. Ferrell Cothran, Circuit Court Judge

Case No(s): 2013GS4301063

The State of South Carolina,

v.

CHRISTOPHER JERMAINE DAVIS ,


Respondent.

Appellant.

NOTICE OF APPEAL

Christopher Jermaine Davis appeals his guilty plea in this case. The guilty plea was entered before the Honorable R. Ferrell Cothran on May 12, 2015.

Date: May 18, 2015



Stephen Story
Sumter Public Defender
215 N. Harvin Street, Room 151
Sumter, SC 29150
(803)436-2424
Attorney for Appellant

Other Counsel of Record:
R. Kirk Griffin , Esq.
Assistant Solicitor
Sumter County Courthouse

Sumter, SC 29150

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JUN 02 2015
SC Court of Appeals

**THE STATE OF SOUTH CAROLINA
In the South Carolina Court of Appeals**

**APPEAL FROM SUMTER COUNTY
Court of General Sessions**

R. Ferrell Cothran, Circuit Court Judge

Case No(s): 2013GS4301063

The State,

v.

Respondent.

CHRISTOPHER JERMAINE DAVIS ,

Appellant.

PROOF OF SERVICE

I certify that I have served the Notice of Appeal on the below listed respondents/involved parties by depositing a copy of it in the United States Mail, postage prepaid, on May 18, 2015, addressed to:

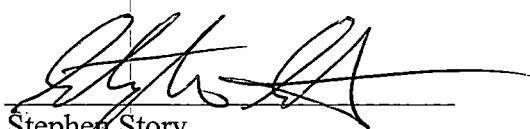
R. Kirk Griffin , Esq.
Assistant Solicitor
Sumter County Courthouse

Sumter, SC 29150
Sumter County Clerk of Court
215 N. Harvin St.
Sumter County, SC 29150

Date: May 18, 2015

S.C. Office of Appellate Defense
P.O. Box 11433
Columbia, SC 29211

Criminal Appeals Clerk
The S.C. Court of Appeals
Post Office Box 11629
Columbia, South Carolina 29211



Stephen Story
Sumter Public Defender
215 N. Harvin Street, Room 151
Sumter, SC 29150
(803)436-2424
Attorney for Appellant

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SC Court of Appeals

1 of 2

COUNTY OF Sumter
 STATE VS.
Christopher Jermaine Davis
 AKA: _____
 Race: Black Sex: M Age: 34
 DOB: 1980 SS#: _____
 Address: _____
 City, State, Zip: _____
 DL#: _____ SID#: _____
 *CDL Yes No CMV Yes No Hazmat Yes No
 In disposition of the said indictment comes now the Defendant who was
 TO: FinanTC / Financial Transaction Card Theft

INDICTMENT/CASE#: 2013-GS-43-1063
 A/W#: 2013A4310201050
 Date of Offense: 8/31/2013
 S.C. Code § : 16-14-0020
 CDR Code #: 0348

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SENTENCE SHEET
 JUN 02 2015
 CONVICTED OR PLEADS
 SC Court of Appeals

in violation of § 16-14-0020 of the S.C. Code of Laws, bearing CDR Code # 0348
 NON-VIOLENT VIOLENT SERIOUS MOST SERIOUS Mandatory GPS(CSC §17-25-45
 w/minor 1st or Lewd Act)

The charge is: As Indicted, Lesser Included Offense, Defendant Waives Presentation to Grand Jury. (defendant's initials)
 The plea is: Without Negotiations or Recommendation, Negotiated Sentence, Recommendation by the State.

ATTEST: [Signature] 65267 Christopher Davis [Signature] 100998
Griffin, R. Kirk SC Bar# Defendant Attorney for Defendant SC Bar#

WHEREFORE, the Defendant is committed to the State Department of Corrections, County Detention Center,
 for a determinate term of 3 days/months/years or under the Youthful Offender Act not to exceed _____ years
 and/or to pay a fine of \$ _____; provided that upon the service of 75 days/months/years and/or payment
 of \$ _____; plus costs and assessments as applicable*; the balance is suspended with probation for 9

months/years and subject to South Carolina Department of Probation, Parole and Pardon Services standard conditions of
 probation, which are incorporated by reference.

CONCURRENT or CONSECUTIVE to sentence on:
 The Defendant is to be given credit for time served pursuant to S.C. Code § 24-13-40 to be calculated and applied
 by the State Department of Corrections.
 The Defendant is to be placed on the Central Registry of Child Abuse and Neglect pursuant to S.C. Code §17-25-135.

Pursuant to 18 U.S.C Section 922, it is unlawful for a person convicted of a violation of Section 16-25-20 or 16-25-65 (Criminal
 Domestic Violence) to ship, transport, possess, or receive a firearm or ammunition.

SPECIAL CONDITIONS:

RESTITUTION: Deferred Def. Waives Hearing Ordered **PTUP**
 Total: \$ 382.55 plus 20% fee: \$ _____

_____ days/hours Public Service Employment

Payment Terms:
 Set by SCDPPPS _____

Obtain GED
 Attend Voc. Rehab. or Job Corp. _____

Recipient: _____

May serve W/E beginning _____
 Substance Abuse Counseling

*Fine:		\$
§ 14-1-206 (Assessments 107.5 %)		\$
§ 14-1-211(A)(1) (Conv. Surcharge)	\$100	\$ <u>100.00</u>
§ 14-1-211(A)(2) (DUI Surcharge)	\$100	\$
§ 56-5-2995 (DUI Assessment)	\$12	\$
§ 56-1-286 (DUI Breath Test)	\$25	\$
Proviso 47.9 (Public Def/Prob)	\$500	\$ <u>500.00</u>
§ 14-1-212 (Law Enforce. Funding)	\$25	\$ <u>25.00</u>
§ 14-1-213 (Drug Court Surcharge)	\$150	\$
§ 50-21-114(BUI Breath Test Fee)	\$50	\$
§ 56-5-2942(J) (Vehicle Assessment)	\$40/ea	\$
Proviso 90.5 (SCCJA Surcharge)	\$5	\$ <u>5.00</u>
3% to County (if paid in installments)		\$ <u>18.90</u>
TOTAL		\$ <u>1048.90</u>

Random Drug/Alcohol testing
 Fine may be pd. in equal, consecutive weekly/monthly
 pmts. of \$ _____ beginning _____
 \$ _____ paid to Public Defender Fund

Other: _____

Appointed PD or appointed other counsel,
 § 47.12 requires \$500 be paid to Clerk
 during probation.

Clerk of Court/ Deputy Clerk James C. Campbell
 Court Reporter: Malissa Singletary
 SCCA/217 (03/2011)

Presiding Judge [Signature]
 Judge Code: 2144
 Sentence Date: 05-12-15

SOUTH CAROLINA
 COUNTY OF Sumter
 STATE VS.
Christopher Jermaine Davis
 (KA: _____)
 Race: Black Sex: M Age: 34
 DOB: 08/80 SS#: _____
 Address: _____
 City, State, Zip: _____
 DL#: _____ SID#: _____
 CDL Yes No CMV Yes No Hazmat Yes No

2 of 2

IN THE COURT OF GENERAL SESSIONS

B-1
 up to \$1,000

INDICTMENT/CASE#: 2013-GS-43-1063
 A/W#: 2013A4310201051
 Date of Offense: 8/31/2013
 S.C. Code § : 16-14-0060(a)(1-5)
 CDR Code #: 0731

SENTENCE SHEET

On disposition of the said indictment comes now the Defendant who was CONVICTED OF or PLEADS
 TO: FinanTC / Financial Transaction Card fraud value \$500 or less in six month period

in violation of § 16-14-0060(a)(1-5) of the S.C. Code of Laws, bearing CDR Code # 0731
 NON-VIOLENT VIOLENT SERIOUS MOST SERIOUS Mandatory GPS(CSC §17-25-45 w/minor 1st or Lewd Act)

The charge is: As Indicted, Lesser Included Offense, Defendant Waives Presentment to Grand Jury. (defendant's initials)
 The plea is: Without Negotiations or Recommendation Negotiated Sentence, Recommendation by the State.

ATTEST: [Signature] 68067 Christopher Davis [Signature] 100908
 Griffin R. Kirk SC Bar# Defendant Attorney for Defendant SC Bar#

WHEREFORE, the Defendant is committed to the State Department of Corrections, County Detention Center,
 for a determinate term of 1 days/months/years or under the Youthful Offender Act not to exceed _____ years
 and/or to pay a fine of \$ _____; provided that upon the service of 15 days/months/years and/or payment
 of \$ _____; plus costs and assessments as applicable*; the balance is suspended with probation for 9
 months/years and subject to South Carolina Department of Probation, Parole and Pardon Services standard conditions of
 probation, which are incorporated by reference.

CONCURRENT or CONSECUTIVE to sentence on:
 The Defendant is to be given credit for time served pursuant to S.C. Code § 24-13-40 to be calculated and applied
 by the State Department of Corrections.
 The Defendant is to be placed on the Central Registry of Child Abuse and Neglect pursuant to S.C. Code §17-25-135.

Pursuant to 18 U.S.C Section 922, it is unlawful for a person convicted of a violation of Section 16-25-20 or 16-25-65 (Criminal Domestic Violence) to ship, transport, possess, or receive a firearm or ammunition.

SPECIAL CONDITIONS:

RESTITUTION: Deferred Def. Waives Hearing Ordered
 Total: \$ _____ plus 20% fee: \$ _____
 Payment Terms: _____
 Set by SCDPPPS _____

PTUP _____ days/hours Public Service Employment
 Obtain GED
 Attend Voc. Rehab. or Job Corp. _____
 May serve W/E beginning _____
 Substance Abuse Counseling
 Random Drug/Alcohol testing
 Fine may be pd. in equal, consecutive weekly/monthly
 pmts. of \$ _____ beginning _____
 \$ _____ paid to Public Defender Fund
 Other: _____

Recipient: _____

*Fine:		\$
§ 14-1-206 (Assessments 107.5 %)		\$
§ 14-1-211(A)(1) (Conv. Surcharge)	\$100	\$ 100.00
§ 14-1-211(A)(2) (DUI Surcharge)	\$100	\$
§ 56-5-2995 (DUI Assessment)	\$12	\$
§ 56-1-286 (DUI Breath Test)	\$25	\$
Proviso 47.9 (Public Def/Prob)	\$500	\$
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§ 14-1-213 (Drug Court Surcharge)	\$150	\$
§ 50-21-114(BUI Breath Test Fee)	\$50	\$
§ 56-5-2942(J) (Vehicle Assessment)	\$40/ea	\$
Proviso 90.5 (SCCJA Surcharge)	\$5	\$ 5.00
3% to County (if paid in installments)		\$ 390
TOTAL		\$ 13390

Appointed PD or appointed other counsel, § 47.12 requires \$500 be paid to Clerk during probation.

Clerk of Court/ Deputy Clerk James C. Campbell
 Court Reporter: Melissa Singletary
 SCCA/217 (03/2011)

Presiding Judge [Signature]
 Judge Code: 2144
 Sentence Date: 5-12-15

THE STATE OF SOUTH CAROLINA)
COUNTY OF SUMTER)
THE STATE OF SOUTH CAROLINA)
v.)
CHRISTOPHER JERMAINE)
DAVIS,)
DEFENDANT.)

IN THE COURT OF GENERAL SESSIONS
THIRD JUDICIAL CIRCUIT
Appellate Case No. 2015-001117

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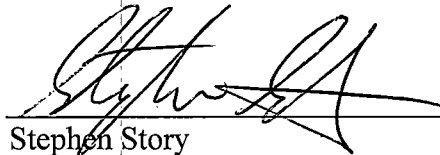
SC Court of Appeals

Dear Ms. Kitchings,

Christopher Davis pleaded guilty to one count of Financial Transaction Card Fraud and one count of Financial Transaction Card Theft on May 12, 2015. On May 18, I received a message that he wished to appeal his guilty plea. I met with him shortly afterwards and he indicated he did not wish to appeal. I was unaware that he filed an appeal himself until today when I spoke with a case manager from your office.

I am filing the enclosed notice of appeal in order to preserve his right to an appeal. I am not aware of any viable issues for appeal.

Sincerely,



Stephen Story
Sumter Public Defender
215 N. Harvin Street, Room 151
Sumter, SC 29150
(803)436-2424
Attorney for Appellant

cc: Office of the Third Circuit Solicitor
Office of Appellate Defense
Office of Clerk of Court for Sumter County

Stephen Story
Sumter County Public Defender
215 N. Harvin Street, Room 151
Sumter, SC 29150
(803)436-2424

May 18, 2015

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SC Court of Appeals

Via Regular Mail

Criminal Appeals Clerk
The S.C. Court of Appeals
Post Office Box 11629
Columbia, South Carolina 29211

Re: State v. CHRISTOPHER JERMAINE DAVIS
Case No(s): 2013GS4301063

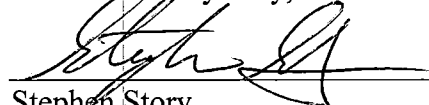
Dear Clerk:

Enclosed you will find the original Notice of Appeal in the above matter along with Proof of Service upon the Respondents. The Notice has been filed with the Sumter County Clerk of Court. Also enclosed are redacted copies of the indictment and the respective sentencing sheet being challenged on appeal.

These matters are being referred to the Office of Appellate Defense in that we were participating as Court appointed counsel at trial.

Thank you for your attention to this matter.

Yours very truly,


Stephen Story
Sumter Public Defender
215 N. Harvin Street, Room 151
Sumter, SC 29150
(803)436-2424
Attorney for Appellant

Enclosure(s)
- As Listed

cc: Office of the Third Circuit Solicitor
Office of Appellate Defense
Office of Clerk of Court for Sumter County



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Stephen R. Story, Esq.
Sumter County Judicial Center
215 N. Harvin St. Rm 151
Sumter, SC 29150

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SC Court of Appeals

Criminal Appeals Clerk
The S.C Court of Appeals
P.O. Box 11629
Columbia, SC 29211

